

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No.	16518.133
First Inventor	JoAnne J. FILLATTI
Title	Nucleic Acid Constructs and Methods for Producing Altered Seed Oil Compositions
Express Mail Label No.	

Box Seq

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2.  Applicant claims small entity status.  
See 37 CFR 1.27.
3.  Specification [Total Pages 91 ]  
*(preferred arrangement set forth below)*
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 24 ]
5. Oath or Declaration [Total Pages      ]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 CFR 1.63(d))  
*(for a continuation/divisional with Box 18 completed)*
    - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6.  Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
  - a.  Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  paper (36 pages)
  - c.  Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9.  Assignment Papers (cover sheet & document(s))
10.  37 C.F.R. 3.73(b) Statement  Power of Attorney  
*(when there is an assignee)*
11.  English Translation Document (*if applicable*)
12.  Information Disclosure Statement  Copies of IDS Citations  
(IDS)/PTO-1449
13.  Preliminary Amendment
14.  Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15.  Certified Copy of Priority Document(s)  
*(if foreign priority is claimed)*
16.  Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17.  Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

Continuation     Divisional     Continuation-in-part (CIP)    of prior application No: 10/393,347  
 Prior application information:    Examiner Not yet assigned    Art Unit: 1647

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

Customer Number 28381    OR     Correspondence address below

Name					
Address					
City		State		Zip Code	
Country		Telephone		Fax	

Name (Print/Type)	David R. Marsh Lisa A. Penoyer Thomas E. Holsten	Registration No. (Attorney/Agent)	41,408 51,204 46,098
Signature	<i>Lisa A. Penoyer</i>	Date	September 25, 2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patent, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

18351 U.S. PTO  
09/25/03

PTO  
10/669888  
09/25/03

September 25, 2003

**Mail Stop Patent Application**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Re: U.S. Continuation-in Part Application based on  
Serial No. 10/393,347 filed March 21, 2003  
Filed: Herewith  
For: Nucleic Acid Constructs and Methods for  
Producing Altered Seed Oil Compositions  
Applicants: JoAnne J. FILLATTI *et al.*  
Atty Docket: 16518.133

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office (PTO):

1. Patent Application Transmittal (PTO/SB/05);
2. U.S. Continuation-in-Part patent Application entitled:  
Nucleic Acid Constructs and Methods for Producing Altered Seed Oil  
Compositions

and naming as inventors:

JoAnne J FILLATTI, Neal A. BRINGE, and Katayoon DEHESH;

the application consisting of:

- a. a specification containing:
  - (i). 79 pages of a description prior to the claims;
  - (ii). 11 pages of claims (74 claims);
  - (iii). a one (1) page abstract;

---

# ARNOLD & PORTER

---

Commissioner for Patents  
September 25, 2003  
Atty. Docket No.: 16518.133  
Page 2

(iv) 24 sheets of drawings (Figures 1-4, 5(a)-5(d), 6(a)-6(c), and 7-22);

and

(v) a paper copy of the sequence listing (36 pages);

3. Sequence Submission in Computer Readable Form (CRF);
4. Statement Regarding Sequence Submission; and
5. Two (2) return postcards.

This application is being filed without an executed Declaration and without payment of official fees.

This application is a continuation-in-part of U.S. Application No. 10/393,347, filed March 21, 2003, which application claims the benefit under 35 U.S.C. § 119(e) of U.S. Provisional Application Nos. 60/365,794 filed March 21, 2002, and 60/390,185 filed June 21, 2002.

Please stamp one of the two attached postcards with the filing date of these documents and return it to our courier, and stamp the other prepaid postcard with the filing date and unofficial application number and return it as soon as possible.

Respectfully submitted,



David R. Marsh (Reg. Atty. No. 41,408)  
Lisa A. Penoyer (Reg. Agent No. 51,204)  
Thomas E. Holsten (Reg. Agent No. 46,098)

Enclosures